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F I L E D

Clerk of the Superior Court

MAR 1 6 2006

By: K SANDOVAL, Deputy

9 Attorneys for Defendant
State of California and Cross-complainant
10 People of the State of California

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12 SUPERIOR COURT OF CALIFORNIA
13 FOR THE COUNTY OF SAN DIEGO

14 **BEKENTON USA, INC.,**

Plaintiff,

15
16 v.

17 **STATE OF CALIFORNIA and DOES 1 through 10,**
18 **inclusive,**

19 **Defendants.**

20
21 **PEOPLE OF THE STATE OF CALIFORNIA, ex**
rel BILL LOCKYER, Attorney General of the State
22 **of California,**

Cross-Complainant,

23 v.

24 **BEKENTON USA, INC., DOES 1 through 10,**
25 **inclusive,**

26 **Cross-Defendants.**
27
28

Case No. J.C.C.P. 4041

JUDGMENT

1 In accordance with this Court's March 15, 2006 order rejecting Bekenton USA, Inc.'s claim to
2 "Most- Favored- Nations" rights under the Master Settlement Agreement, the Court hereby finds,
3 declares and orders as follows:

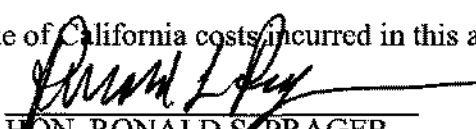
4 (1) Bekenton breached the MSA when it failed to pay \$6,059,527.71 that came due on
5 April 15, 2005;

6 (2) Bekenton shall immediately pay in accordance with the Master Settlement Agreement
7 \$6,059,527.71, plus interest thereon accruing thereon at the Prime Rate plus three percentage
8 since April 15, 2005,

9 (3) Bekenton shall take nothing by way of its complaint; and

10 (4) Bekenton shall pay the People of the State of California costs incurred in this action.

11 Dated: 3/15/06, 2006

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13 HON. RONALD S. PRAGER
14 San Diego Superior Court Judge